

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED
2023 NOV 21 PM 4:10
U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY M.D.
CLERK

UNITED STATES OF AMERICA,

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v.

PATRICK WOOD CRUSIUS,

No. 3:20-CR-00389

(The Honorable David C. Guaderrama)

Defendant.

MOTION FOR LEAVE TO FILE
MOTION TO INTERVENE AND UNSEAL JUDICIAL RECORDS

El Paso Matters, a nonprofit media organization focused on in-depth and investigative reporting about the El Paso and Paso del Norte region, hereby moves for leave to intervene in the above-captioned case for the limited purpose of seeking an order unsealing judicial records in this matter. This Motion is made on the grounds that:

1. As a news organization, El Paso Matters may intervene for the limited purpose of seeking an order unsealing court documents and opposing court closure.
2. On November 2, 2023, the United States (the “Government” or “prosecution”) filed a motion to unseal certain sealed records in the above-captioned case. El Paso Matters agrees with the Government’s argument that those records should be unsealed and, further, seeks to unseal the remaining sealed records in this matter, including docket entries currently missing from the public docket.
3. El Paso Matters has a First Amendment right to access judicial records filed with the Court in this matter, and said constitutional right is not overcome.

4. El Paso Matters has a common law right to access judicial records filed with the Court in this matter, and said common law right is not overcome.

5. To the extent compelling interests overcome El Paso Matters' constitutional and common law rights of access as to any portion of the sealed records in this matter, any sealing or closure must be no broader than necessary to serve those interests and must be supported by specific, on-the-record factual findings.

El Paso Matters seeks leave to file its Motion to Intervene and to Unseal Judicial Records, attached hereto as Exhibit A (the "Motion"). The Motion seeks to unseal all pleadings, records, and files in the above-captioned case, all matters of which the Court shall take judicial notice, and on such argument as may be presented at a hearing on its Motion.

CONCLUSION AND PRAYER

El Paso Matters respectfully requests that the Court grant its motion to intervene and permit its Motion to Intervene and Unseal to be filed in this proceeding. El Paso Matters further requests an order unsealing all pleadings, records and files in this matter.

Dated: November 21, 2023

Respectfully submitted,

/s/ Amanda N. Crouch

Amanda N. Crouch
State Bar No. 24077401
JACKSON WALKER LLP
1900 Broadway, Suite 1200
San Antonio, TX 78215
acrouch@jw.com

/s/ Katie Townsend

Katie Townsend*
REPORTERS COMMITTEE FOR
FREEDOM OF THE PRESS

1156 15th St. NW, Suite 1020
Washington, D.C. 20005
Phone: 202.795.9300
Facsimile: 202.795.9310
ktownsend@rcfp.org

*Counsel for Proposed Intervenor
El Paso Matters*

** Pro hac vice application pending*

CERTIFICATE OF CONFERENCE

I certify that I contacted Ian Hanna, counsel for the United States in this matter, and Joe Spencer, counsel for Defendant, via e-mail on November 16, 2023, to ascertain their clients' position on the relief sought by this Motion. The United States takes no position on this Motion and the defense opposes it.

/s/ Amanda N. Crouch

Amanda N. Crouch
Counsel for El Paso Matters

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically filed on November 21, 2023.

Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Amanda N. Crouch

Amanda N. Crouch
Counsel for El Paso Matters